City of Taylorsville **Planning Commission Meeting Minutes** May 14, 2019

Pre-meeting – 6:00 p.m. – Regular Session – 7:00 p.m. 2600 West Taylorsville Blvd - Council Chambers

Attendance:

Planning Commission

Anna Barbieri – Chair Don Quigley Marc McElreath Kent Burggraaf Rebecca Scholes Lynette Wendel David Wright (Alternate)

Community Development Staff

Mark McGrath – Director of Community Development Angela Price - Senior Planner (Excused) Amanda Roman – Associate Planner Stephanie Shelman – Deputy City Attorney Jean Gallegos – Admin Assistant/Recorder

1. The pre-meeting was conducted by Mr. McGrath at 6:00 p.m. in the City Council conference room. Recording was made by IPAD.

PRESENT: Ernest Burgess, Julie Bakker, Robert Bakker

7:04 PM

Commissioner Barbieri opened the meeting and explained the process to be followed this evening.

CONSENT AGENDA

- 2. Review/approval of Minutes for February 12th and March 26th, 2019
- 3. 4C19 - Consideration of a Modification to a Conditional Use Permit to Allow an Automotive Service Station in the Regional Commercial (RC) Zone and House of Operation Extension at 1518 West 5400 South.

MOTION (Items 2 and 3): 7:07 PM – Commissioner Wendel - I move that we approve the Minutes for February 12th and March 26th, 2019, along with File #4C19, consideration of a modification to a conditional use permit to allow an automotive service station in the regional commercial zone and hours of operation extension.

SECOND: Commissioner McElreath

VOTE: All Commissioners present voted in favor. Motion passes unanimously.

ZONING TEXT AMENDMENT

3Z19 - Recommendation to the City Council for a Zoning Text Amendment to the Taylorsville Municipal Code, Section 13.26 Signage and Outdoor Advertising, and Chapter 13.37 Design Standards. (Angela Price/Senior Planner)



7:08 PM

Mr. McGrath presented this item. Staff is proposing a text amendment to provide design standards and guidance on window signage allotments. The intent behind the ordinance amendment is to minimize blacking out of windows with signage and to regulate the percentage of signage allowed on a building's façade. The item was brought before the Planning Commission on March 12, 2019 wherein a few changes to the Design Standards Chapter 13.37 were suggested. Staff has incorporated the requested changes into the proposed text amendment and updated the images to provide visual clarity on prohibited and permitted window signage. Signage and Outdoor Advertising, Section 13.26, has remained as originally proposed. The Commission requested that reflective glass be prohibited in

the Design Standards. Page 2.3, Item #6, addresses reflective glass and Staff is proposing that this addition not be made to the signage requirements but rather left in the Architectural Design/Building Character Section of the Standards.

4.2 **FINDINGS:**

- 4.2.1 This application was initiated by the Community Development Department.
- 4.2.2 Staff is proposing changes to Signage and Outdoor Advertising, Chapter 13.26, and the Design Standards, Chapter 13.37, based on comments received from the Commission on March 12, 2019.
- 4.2.3 A text amendment to the Taylorsville Municipal Code must be approved or denied by the City Council.
- **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission sends a positive 4.3 recommendation to the City Council for this amendment.
- 4.4 Commissioner Barbieri opened the public hearing portion and asked if there were anyone wishing to speak in favor of or opposition to this application and seeing none, closed the public hearing and opened the meeting up for discussion amongst the Commissioners or a motion. 2 7:09 PM
- MOTION: 2 7:10 PM Commissioner McElreath I move that we approve File 3Z19 and send a positive 4.5 recommendation to the City Council for a text amendment to the Taylorsville Municipal Code signage and Outdoor Advertising Section 13.26 and Design Standards Chapter 13.37 based on the Findings as stated in the Staff Report.

VOTE: Roll call vote was held. Commissioner Quigley - AYE, Commissioner McElreath - AYE, Commissioner Wright - AYE, Commissioner Burggraaf - AYE, Commissioner Scholes - AYE, Commissioner Wendel - AYE. Motion passes unanimously.

SUBDIVISIONS

5. 1S19 – Consideration of a Preliminary Plat for a Two-Lot Subdivision at 4473/4475 South Edgeware Lane. (Applicants are Cody Steck and Jeffrey/Casey Everett). (Amanda Roman/Associate Planner)



Ms. Roman presented this item. Jeffrey and Casey Everett, in partnership with Cody Steck, are requesting to amend the subdivision plat for their properties located at 4473 (Lot 20-A) and 4475 (Lot 20B) South on Edgeware Lane. These properties are located within the Heatherglen neighborhood and carry a unique set of conditions which the applicants wish to remove from their properties by recording a new plat. Ms. Roman reviewed the process needed in order to accomplish that goal. She advised that all conditions have been met with the exception that the Everetts have not presented their signed lien holder documents yet. That was because their parent loan holder company had not returned the required document to them as of this date. That document must be received prior to this application receiving final approval.

FINDINGS: 7:14 PM 5.2



- 5.2.1 The two properties under question are located at 4473 (Lot 20-A) and 4475 (Lot 20-B) South
- 5.2.2 The current zoning is R-2-10 (residential two units per 10,000 square feet).
- 5.2.3 This application is to record a simple subdivision plat for 4473 (Lot 20-A) and 4475 (Lot 20-B) South
- 5.2.4 All required documentation has been submitted by Cody Steck.
- 5.2.5 The Everett's have yet to submit their lien holder documentation to remove 4473 South Edgeware Lane from the Utah Condominium Ownership Act. The submittal and approval of the document will be required prior to recording the plat.

- 5.2.6 The proposed subdivision is in compliance with the Taylorsville Municipal Code, Chapter 13.20 and 13.30.
- 5.2.7 No changes will be made to the physical property.
- 5.2.8 No adverse impact is expected on any adjacent properties.

5.3 **CONDITIONS OF APPROVAL**:

- 5.3.1 The plat is recorded with Salt Lake County.
- 5.3.2 A Title Report that is less than 90 days old at time of recording is submitted.
- 5.3.3 The Title Report matches the property owner and the signature on the amended plat is consistent with the Title Report.
- 5.3.4 The final plat is compliant with all applicable codes and ordinances.
- 5.3.5 The applicant will comply with the requirements of all reviewing agencies.
- 5.3.6 All applicable fees are paid prior to recording of the plat.
- 5.3.7 All documentation shall be reviewed and approved by the City Attorney's office.
- 5.3.8 All supporting documentation is signed by both parties and submitted to the City before the plat is recorded with Salt Lake County. This documentation includes:
 - Lien Holder documents;
 - · Quitclaim deeds.
 - Proof of removal from the Utah Condominium Ownership Act and;
 - A simple subdivision plat that must be recorded with Salt Lake County.
- 5.3.9 Staff is authorized to issue final approval.
- 5.4 **STAFF RECOMMENDATION**: Staff recommends approval based on the findings and conditions as stated in the Staff Report. 7:16 PM
- 5.5 **APPLICANT ADDRESS**: Applicants were not present.
- 5.6 <u>Commissioner Barbieri</u> opened the public hearing portion and asked if there were anyone wishing to speak in favor of or opposition to this application and seeing none, closed the public hearing and opened the meeting up for discussion amongst the Commissioners or a motion.
- 5.7 <u>DISCUSSION</u>: 7:17 PM <u>Commissioner Quigley</u> advised that this is a matter of business that has come before the Commission multiple times for this particular subdivision, therefore, the Commission is well aware of the circumstances and conditions surrounding this process.
- 5.8 MOTION: 7:18 PM Commissioner Quigley I would like to move that we approve File #1S19 for a simple subdivision plat located at 4473 (Lot 20-A) and 4475 (Lot 20-B) South Edgeware Lane based on the Findings and Conditions as stated in the Staff Report.

SECOND: Commissioner Burggraaf

<u>VOTE</u>: Roll call vote was held. <u>Commissioner Quigley</u> – AYE, <u>Commissioner McElreath</u> – AYE, <u>Commissioner Wright</u> – AYE, <u>Commissioner Burggraaf</u> – AYE, <u>Commissioner Scholes</u> – AYE, <u>Commissioner Wendel</u> – AYE. Motion passes unanimously.

6. 3S19 – Consideration of a Preliminary Plat for a Two-Lot Subdivision at 5264 South 3200 West. (Applicant is Julie Bakker). (Angela Price/Senior Planner)



6.1 <u>Ms. Roman</u> presented this item. Robert and Julie Bakker are requesting consideration of a Preliminary Plat for a two-lot subdivision at 5264 S 3200 W, approximately 0.42 acre. The proposed subdivision meets the setback

requirements for the R-1-8 zone. The property already has curb, gutter, drive approach, sidewalk and park strip. Compliance with all applicable codes is required prior to issuing final approval. Additionally, a few modifications and additions will be required for Final Plat approval including:

- 6.1.1 A few clerical changes need to be made to the plat which have been outlined in the Staff review comments previously.
- 6.1.2 Storm drain calculations need to be updated.
- 6.1.3 Engineering recommends a "high point" between the two properties to prevent storm water run-off between the parcels.
- 6.1.4 Public Utility Drainage Easement needs to be added to the plat and civil set.
- 6.1.5 A sewer and water lateral will need to be installed per Taylorsville Bennion Improvement District requirements.

6.2 **FINDINGS**: 7:21 PM

- 6.2.1 This application was initiated by Robert and Julie Bakker.
- 6.2.2 The property is zoned R-1-8.
- 6.2.3 The applicant is requesting preliminary plat approval for a two-lot subdivision.
- 6.2.4 The proposed plat meets the required size and setbacks for the R-1-8 zone.
- 6.2.5 There is an existing home on the north side of the property which will be retained. The south vacant lot will be developed.

6.3 **CONDITIONS OF APPROVAL**. 7:22 PM

- 6.3.1 The original plat for 5264 South 3200 West is amended, if applicable.
- 6.3.2 The plat is recorded with Salt Lake County.
- 6.3.3 A Title Report that is less than 90 days old at time of recording is submitted.
- 6.3.4 The final plat is compliant with all applicable codes and ordinances.
- 6.3.5 The applicant will comply with the requirements of all reviewing agencies.
- 6.3.6 All applicable fees and bonds are paid prior to recording of the plat.
- 6.4 **STAFF RECOMMENDATION**: Staff recommends approval of the preliminary plat for File #3S19.
- 6.5 <u>DISCUSSION</u>: 7:23 PM <u>Commissioner Burggraaf</u> asked if the required easements were noted and wanted to make sure the application meets all requirements of the City Code. <u>Ms. Roman</u> asserted that all easements are recorded on the plat as required.
- 6.6 <u>APPLICANT ADDRESS</u>: 7:23 PM <u>Ms. Julie Bakker</u> was present and advised she had received a copy of the Staff Report and was aware of and agreed to all conditions therein.
- 6.7 MOTION: 7:25 PM Commissioner Scholes I move for approval of File #3S19 for a two-lot subdivision at 5264 South 3200 West based on the Findings and Conditions of Approval as stated in the Staff Report.

SECOND: Commissioner Burggraaf

<u>VOTE</u>: Roll call vote was held. <u>Commissioner Quigley</u> – AYE, <u>Commissioner McElreath</u> – AYE, <u>Commissioner Wright</u> – AYE, <u>Commissioner Burggraaf</u> – AYE, <u>Commissioner Scholes</u> – AYE, <u>Commissioner Wendel</u> – AYE. Motion passes unanimously.

PLANNING COMMISSION POLICIES AND PROCEDURES

- 7. Recommendation to the City Council to Amend the City of Taylorsville Planning Commission Policies and procedures. (Angela Price/Senior Planner)
- 7.1 Mr. McGrath presented this item. The Community Development Department on behalf of the Planning Commission Chair, is proposing updates to the Planning Commission Policies and Procedures (policies). The policies were reviewed by the Planning Commission on March 26, 2019 and feedback from the Commissioners was incorporated into the proposed policies. The current operating policies were adopted in 2010 and needed to be updated to address current procedures and to ensure compliance with City Code and State Statute. The following updates are being proposed:
 - 7.1.1 Update with current City of Taylorsville Municipal Code citations.
 - 7.1.2 Revise to reflect current State Statute requirements.
 - 7.1.3 Add additional responsibilities to the Chair and Administrative Assistant as required per State Statute.
 - 7.1.4 Include removal and attendance requirements.
 - 7.1.5 Outline voting procedures.

7.2 **FINDINGS**:

- 7.2.1 This application was initiated by the Community Development Department on behalf of the Planning Commission Chair.
- 7.2.2 The proposed policies update code citations, state statute requirements and current operating procedures.
- 7.2.3 Planning Commission Policies and Procedures must be approved or denied by the City Council via ordinance adoption.
- 7.3 **STAFF RECOMMENDATION**: Staff recommends that the Planning Commission forwards a positive recommendation to the City Council for adoption of the Planning Commission Policies and Procedures.
- 7.4 <u>DISCUSSION</u>: Mr. McGrath said that Staff has been working on updating the Planning Commission policies and procedures for the last few months. There are several suggested changes to the bylaws and there may be more discussion necessary to address some of those issues currently in the new proposal. 7:26 PM Mr. McGrath advised that tonight he was just going to open-up discussion about areas of concern by the Commissioners.
 - 7.4.2 <u>Commissioner Barbieri</u> said that Commissioner Burggraaf had made an interesting observation during the pre-meeting that she would like him to share again. She added that it was essentially that the City Council already has a means to appoint, remove and keep Planning Commissioners and perhaps replace the language here citing the City Council's authority in that realm. Then there is still the expectation when people participate as a Planning Commissioner that there is decorum, certain responsibilities and expectations and gives them the information as to whom makes those types of decisions.
 - 7.4.3 <u>Commissioner Burggraaf</u> confirmed the reference was to Section 3 and clarified adding two additional sentences. One is to cite to the section of the ordinance that deals with removal of Planning Commissioners, so essentially saying that Planning Commissioners may be removed pursuant to a certain section. Just more or less the bylaws put the Planning Commissioners on notice that there are ways they can be removed. The other sentence should be regarding the decorum of the meeting and professional conduct. So maybe just an affirmative statement that Planning Commissioners shall act in a professional and courteous manner in the meetings. Something to that

effect. That could go before the reference to the section regarding removal just so it is stating why the removal section of the ordinance is being referenced.

- 7.4.4 Commissioner Barbieri added that something could be added to follow the legal guidelines of what a Planning Commissioner is or should be. Commissioners felt there needed to be a step added to counsel individuals prior to recommending action be taken for removal from the Commission. Also, actions which were proposed to be taken for absence from meetings seemed to be unnecessary. It was suggested to remove the word "all" in the first sentence and just say "expected to attend scheduled meetings". Another suggestion was to move the duty of providing annual training to Commissioners out from under the Chair and include it somewhere else. Another item for discussion was regarding voting. It had been suggested to amend the bylaws on Page 8 to say, following the call for the vote by the Commissioner Chair, all Commissioners shall vote verbally. The language being suggested to be added was "through a roll call vote conducted by the administrative assistant. Mr. McGrath asked if they wanted to do that for all votes or just non-unanimous votes. Commissioner Barbieri said that in the past the Commission has only done that for those that were not unanimous, and she was more comfortable with that, feeling that there didn't need to be a roll-call vote for every motion. However, she was open for comments in that regard. Commissioner Burggraaf said that as far as just generic parliamentary procedure is concerned, it would be that there could be a non-rollcall vote for most motions and any member of the Commission including the Chair could ask for a roll-call vote. That could be done prior to the vote. So, in matters that are contentious, a roll call vote could be solicited. He would rather not have a roll call vote every time but just whenever it is called for specifically. Commissioner Barbieri also preferred that. Commissioner Quigley also concurred with that.
- 7.4.5 Mr. McGrath said that concluded his comments and Commissioner Barbieri advised the revised policies should be brought back to the Commission in a month for review/approval. She then asked for a motion.
- 7.5 MOTION: 7:34 PM Commissioner Wendel I move that we table the recommendation to the City Council to amend the City of Taylorsville Planning Commission Policies and Procedures.

 SECOND: Commissioner Quigley

<u>VOTE:</u> All Commissioners present vote in favor. Motion passes unanimously. <u>Commissioner Barbieri</u> asked that this be brought back to the next Planning Commission meeting.

<u>CITY COUNCIL MEETING DISCUSSION</u>: <u>Commissioners McElreath</u> (April 3), <u>Burggraaf</u> (April 17) and <u>Wendel</u> (May 1) gave their presentations on what transpired during their respective meeting assignments.

<u>Commissioner Barbieri</u> thanked Commissioner Scholes for her service to the Commission and wished her well upon leaving the State for her husband's new job assignment.

ADJOURNMENT: By motion of Commissioner Scholes the meeting was adjourned at 7:42 p.m.

Respectfully submitted by:
Jean Gallegos, Admin Assistant/Recorder for the
City of Taylorsville Planning Commission

Approved in meeting held on